



00684.002902

PATENT APPLICATION

2872/
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MASAAKI NAKABAYASHI, ET AL.) Examiner: A. Chang
Application No.: 09/401,660) Group Art Unit: 2872
Filed: September 23, 1999)
For: DIFFRACTIVE OPTICAL ELEMENT)
AND METHOD OF MANUFACTURE :
OF THE SAME) September 4, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

We also enclose a check for the required fee of \$180.00 to cover the Information Disclosure Statement under 37 C.F.R. 1.97(c)(2).


15702-9003 EXHIBIT 00000078 09401660

10/1/03

10/1/03

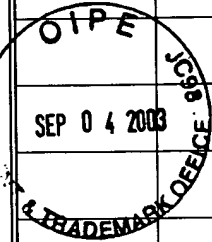
Applicants' undersigned attorney may be reached in our Washington D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Justin J. Oliver
Registration No. 44,986

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FORM PTO 1449 (modified) . U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary) Date Submitted: September 4, 2003				ATTY DOCKET NO. 00684.002902		APPLICATION NO. 09/401,660	
				APPLICANT MASAAKI NAKABAYASHI, ET AL.			
				FILING DATE September 23, 1999		GROUP 2872	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,101,389	03/1992	Ohuchida, et al.			
		5,149,181	09/1992	Bedford			
		5,208,700	05/1993	Harris, et al.			
		5,867,266	02/1999	Craighead			
		5,973,844	10/1999	Burger			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
✓	6	58-157317	09/1983	Japan			Abstract
	10	63-172204	07/1988	Japan			Abstract
	6	02-078901	03/1990	Japan			Abstract
	29	03-250437	11/1991	Japan			Abstract
✓	6	10-012338	05/1998	Japan			Abstract
	12	11-044810	02/1999	Japan			Yes
	6	02-143201	06/1990	Japan			Abstract
	100	99/38046	07/1999	WIPO			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 1 of 1